



National Aeronautics and
Space Administration

Principal Center for Regulatory Risk Analysis and Communication

Regulatory Tracking Summary

4 November 2011

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "76 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 (sharon.scroggins@nasa.gov).

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Acronyms

AAM = <i>Alabama Administrative Monthly</i>	NFA = No further action
AAC = Alabama Administrative Code	NIST = National Institute of Standards and Technology
AB = Assembly Bill	NMAC = New Mexico Administrative Code
ACTL = Alternative cleanup target level	NO ₂ = Nitrogen dioxide
ARB = Air Resources Board	NSPS = New Source Performance Standards
AST = Aboveground storage tank	NTP = National Toxicology Program
ATSDR = Agency for Toxic Substances and Disease Registry	OAC = Ohio Administrative Code
CEQ = Council on Environmental Quality	OEPA = Ohio Environmental Protection Agency
CCR = <i>California Code of Regulations</i>	OEHA = Office of Environmental Health Hazard Assessment
CFR = <i>Code of Federal Regulations</i>	OSHSB = Occupational Safety and Health Standards Board
CO ₂ = Carbon dioxide	PERP = Portable Equipment Registry Program
CNOR = Candidate Notice of Review	PM _{2.5} = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
CRÈME = Concrete Rheology: Enabling Metrology	POTW = Publicly owned treatment works
CRNR = California Regulatory Notice Register	PSD = Prevention of significant deterioration
CTL = Cleanup target level	RBCA = Risk-based corrective action
DAPC = Division of Air Pollution Control	RIN = Regulatory Identification Number
DC-MD-VA = Metropolitan Washington, District of Columbia-Maryland-Virginia	RoC = Reactive organic compound
EIB = Environmental Improvement Board	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EO = Executive Order	SIP = State Implementation Plan
EPA = U.S. Environmental Protection Agency	SJRWMD = St. Johns River Water Management District
ESA = Endangered Species Act	SSPP = Strategic Sustainability Performance Plan
F.A.C. = Florida Administrative Code	TDCPP = Tris(1,3-dichloro-2-propyl)phosphate
FAW = Florida Administrative Weekly	TRI = Toxic Release Inventory
FIFRA = Federal Insecticide, Fungicide and Rodenticide Act	UAC = Utah Administrative Code
FR = <i>Federal Register</i>	U.S. = United States
GHG = Greenhouse gas	UST = Underground storage tank
LDEQ = Louisiana Department of Environmental Quality	VA.R. = <i>Virginia Register</i>
LPN = Listing Priority Number	VAC = Virginia Administrative Code
LPDES = Louisiana Pollution Discharge Elimination System	VDEQ = Virginia Department of Environmental Quality
Md.R. = <i>Maryland Register</i>	VPDES = Virginia Pollution Discharge Elimination System
NAA = Nonattainment area	WV-MD = Martinsburg-Hagerstown, West Virginia-Maryland
NAAQS = National Ambient Air Quality Standards	
NASA = National Aeronautics and Space Administration	

1.0 U.S. Federal Regulatory Review

1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED110411-1	Air GHGs	10/25/2011	76 FR 65971	Notice Correction	National Highway Traffic Safety Administration Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles [49 CFR Parts 523 and 535] Corrects the final rule regulations (76 FR 57105 , 09/15/2011) establishing fuel efficiency standards for medium- and heavy-duty engines and vehicles. [RIN 2127-AK74]	
FED110411-2	Air Lead, NO ₂	10/24/2011	76 FR 65722	Notice Meeting	U.S. Environmental Protection Agency Notification of Two Public Teleconferences; Clean Air Scientific Advisory Committee Announces two public teleconferences to discuss draft review of " EPA's Integrated Science Assessment for Lead (First External Review Draft, May 2011) " and EPA's draft " Near-Road NO₂ Monitoring Technical Assistance Document ." Teleconferences are scheduled for 11/28/2011 and 01/27/2012.	
FED110411-3	Air NO ₂	10/27/2011	76 FR 66717	Notice Meeting	U.S. Environmental Protection Agency Notification of a Public Teleconference of the Clean Air Scientific Advisory Committee Air Monitoring and Methods Subcommittee Announces a public teleconference to discuss its draft report on EPA's draft " Near-Road NO₂ Monitoring Technical Assistance Document ." Teleconference is scheduled for 11/17/2011.	
FED110411-4	Air NSPS	10/24/2011	76 FR 65653	Notice	U.S. Environmental Protection Agency New Source Performance Standards (NSPS) Review [40 CFR Part 60] Solicits public comment on a proposed approach to carry out the periodic evaluation of the NSPS program. By demonstrating continued efficacy of the standards, EPA could fulfill its statutory requirement to review, and, if necessary, revise NSPS at least every 8 years. Seeks comment on the overall approach to managing the NSPS program, in particular the criteria used to determine that no review is needed for a subset of NSPS. Comments due 11/23/2011. [RIN 2060-AO60]	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED110411-5	Air SIP-PM _{2.5}	11/04/2011	76 FR 68378	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; District of Columbia, Maryland, Virginia, and West Virginia; Determinations of Attainment of the 1997 Fine Particle Standard for the Metropolitan Washington and Martinsburg-Hagerstown Nonattainment Areas [40 CFR Part 52]</p> <p>Proposes to make a determination that the DC-MD-VA and WV-MD PM_{2.5} NAAs have attained the 1997 annual PM_{2.5} NAAQS by the deadline of 04/05/2010. Comments due 12/05/2011.</p>	NASA facilities in MD and VA should be aware of this action.
FED110411-6	Occupational Safety Exposure Factors	11/03/2011	76 FR 68183	Notice	<p>U.S. Environmental Protection Agency</p> <p>Highlights of the Exposure Factors Handbook: 2011 Update Release of Final Report</p> <p>Announces availability of the report, "Highlights of the Exposure Factors Handbook: 2011 Update," which provides a summary of the recommended exposure factors extracted from the Exposure Factors Handbook (09/30/2011).</p>	
FED110411-7	Risk Assessment Microorganisms-Food and Water	11/01/2011	76 FR 67439	Notice Meeting	<p>U.S. Environmental Protection Agency</p> <p>External Peer Review Meeting for Draft Microbial Risk Assessment Guideline: Pathogenic Microorganisms With Focus on Food and Water</p> <p>Announces external peer review of the draft document, "Microbial Risk Assessment Guideline: Pathogenic Microorganisms with Focus on Food and Water."</p>	
FED110411-8	Sustainability	11/03/2011	76 FR 68170	Notice	<p>Council on Environmental Quality</p> <p>Instructions for Implementing Sustainable Locations for Federal Facilities in Accordance With Executive Order 13514</p> <p>Announces availability of Instructions for Implementing Sustainable Locations for Federal Facilities for integrating sustainable facility location decision-making principles into agency policies and practices, as required under EO 13514, "Federal Leadership in Environmental, Energy, and Economic Performance." (76 FR 52117, 10/05/2009)</p>	
FED110411-9	Species	10/26/2011	76 FR 66369	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants: Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions</p> <p>Issues a CNOR presenting an updated list of plant and animal species native to the U.S. that EPA regards as candidates for or has proposed for addition to the Lists of Endangered and Threatened Wildlife and Plants under the ESA. This CNOR does the following:</p> <ul style="list-style-type: none"> Recognizes three new candidates Changes the LPN for seven candidates Removes three species from candidate status <p>Requests additional status information for the 244 candidate species identified in this CNOR.</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED110411-10	Technology	11/01/2011	76 FR 67418	Notice	National Institute of Standards and Technology Request for Comments on NIST Special Publication 500-293, US Government Cloud Computing Technology Roadmap, Release 1.0 (Draft) Requests public comment on the first draft of " Special Publication 500-293, US Government Cloud Computing Technology Roadmap, Release 1.0 (Draft) ." Comments due 12/02/2011.	
FED110411-11	Technology Concrete	10/25/2011	76 FR 66040	Notice Meeting	National Institute of Standards and Technology Announcement of Meeting To Explore Feasibility of Establishing a NIST/Industry Consortium on "Concrete Rheology: Enabling Metrology (CREME)" Announces a meeting to evaluate industry interest in creating a NIST/industry/Academia consortium focused on CREME. Meeting is scheduled for 11/08/2011.	
FED110411-12	Technology Smart Grid	10/25/2011	76 FR 66040	Notice	National Institute of Standards and Technology Seeks comments on the draft NIST Framework and Roadmap for Smart Grid Interoperability Standards, Release 2.0 . Comments due 11/25/2011.	
FED110411-13	Toxic Substances	11/03/2011	76 FR 68193	Notice	Agency for Toxic Substances and Disease Registry Notice of the Revised Priority List of Hazardous Substances That Will Be the Subject of Toxicological Profiles Announces availability of the following <ul style="list-style-type: none"> ▪ Revised Priority List of 275 Hazardous Substances ▪ Completed Exposure Pathway Site Count Report The report lists the number of sites or events with which ATSDR is involved and a substance has been found in a completed exposure pathway.	
FED110411-14	Toxic Substances Carcinogens	10/31/2011	76 FR 67200	Notice Meeting	Department of Health and Human Services Proposed National Toxicology Program (NTP) Review Process for the Report on Carcinogens: Request for Public Comment and Listening Session Announces a public listening session and opportunity for written public comments on the proposed RoC review process. Session is scheduled for 11/29/2011. Registrants will receive information to access the listening session. Comments due 11/30/2011.	
FED110411-15	Water Drinking Water—Lead and Copper	10/31/2011	76 FR 67187	Notice Meeting	U.S. Environmental Protection Agency National Drinking Water Advisory Council; Notice of a Public Teleconference Meeting Announces a teleconference to discuss potential modifications to the lead service line replacement requirements of the National Drinking Water Regulations for Lead and Copper. Teleconference is scheduled for 11/18/2011.	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED110411-16	Water Effluent Guidelines	10/26/2011	76 FR 66286	Notice	U.S. Environmental Protection Agency Notice of Final 2010 Effluent Guidelines Program Plan Announces availability of the final 2010 Effluent Guidelines Program Plan , which identifies categories of industrial dischargers (both those discharging directly to surface waters and those discharging to POTWs) selected for effluent guidelines rulemaking and provides a schedule for such rulemakings. Comments due 11/25/2011. [RIN 2040-AF06]	
FED110411-17	Water Water Quality–Carbaryl	11/01/2011	76 FR 67437	Notice	U.S. Environmental Protection Agency Draft Aquatic Life Ambient Water Quality Criteria for Carbaryl–2011 Announces availability of draft national recommended water quality criteria for the protection of aquatic life from effects of carbaryl . Comments due 01/03/2012.	

1.2 Other News and Developments

1.2.1 Federal Agency Strategic Sustainability Performance Plans Released

On 31 October 2011, federal agencies released their 2011 Strategic Sustainability Performance Plans (SSPPs). Federal agencies are required to develop, implement, and annually update an SSPP under [Executive Order \(EO\) 13514 on Federal Leadership in Environmental, Energy, and Economic Performance](#). The SSPPs describe how the agencies will achieve the environmental, economic, and energy goals mandated in the EO. Generally, SSPPs contain information about GHG reduction, high-performance sustainable design, water use efficiency and management, pollution prevention and waste reduction, sustainable acquisition, electronic stewardship, and innovation. After the SSPPs are updated annually, they are reviewed by the CEQ, approved by the Office of Management and Budget, and made publicly available on the CEQ [website](#).

1.2.2 Guidance for Sustainable Landscapes

On 31 October 2011, CEQ issued the [Guidance for Federal Agencies on Sustainable Practices for Designed Landscapes](#). The guidance describes goals and strategies to achieve sustainable outcomes in federal landscape practices. The guidance also outlines how agencies can balance natural resource management priorities with development needs (energy, security, and infrastructure) while considering cultural, recreational, and environmental resources inherent in the landscape. Sustainable strategies are provided for the following: site selection and planning, soils, water, vegetation, materials selection, human health and well-being, existing and historic facilities and cultural landscapes, construction, and operations and management. More information about the guidance is posted on the CEQ [website](#).

1.2.3 Plan for Managing Freshwater Resources

The CEQ released the final version of the [National Action Plan: Priorities for Managing Freshwater Resources in a Changing Climate](#) on 28 October 2011. The plan provides an overview of water resources management challenges in a changing climate and recommends actions federal agencies can take to support water resource managers in understanding and

reducing the risks of climate change. This final National Action Plan incorporates comments received on the [Draft National Action Plan](#) released on 2 June 2011.

The National Action Plan presents six priority recommendations:

- Establish a Planning Process to Adapt Water Resources Management to a Changing Climate
- Improve Water Resources and Climate Change Information for Decision-Making
- Strengthen Assessment of Vulnerability of Water Resources to Climate Change
- Expand Water Use Efficiency
- Support Integrated Water Resources Management
- Support Training and Outreach to Build Response Capability

For each of these recommendations, the plan identifies specific actions that federal agencies should consider to reduce climate risks to freshwater resources. More information regarding climate change adaptation can be found on the CEQ [website](#).

1.2.4 Climate Change Task Force Progress Report

On 28 October 2011, the Interagency Climate Change Adaptation Task Force released its [2011 Progress Report](#) outlining the federal government's progress in expanding and strengthening the capacity to better understand, prepare for, and respond to extreme events and other climate change impacts. In October 2010, the Task Force recommended a set of policy goals and actions outlining how the federal government should work with local, state, and tribal partners to provide leadership, coordination, science, and services to address climate risks. The 2011 Progress Report provides updates on the federal government's progress in the following key action areas:

- Integrating adaptation into federal government planning and activities
- Building resilience to climate change in communities
- Improving accessibility and coordination of science for decision making
- Developing strategies to safeguard natural resources in a changing climate
- Enhancing efforts to lead and support international adaptation

More information about the 2011 Progress Report and other publications by the Interagency Climate Change Adaptation Task Force is posted on the CEQ [website](#).

1.2.5 Council on Environmental Quality Honors NASA With GreenGov Presidential Award

On 01 November 2011, NASA was awarded the GreenGov Presidential Award "Lean, Clean, and Green" for consistently moving toward sustainable and efficient operations. The GreenGov awards honor federal civilian and military personnel, agency teams, agency projects and facilities, and agency programs in an effort to promote sustainability. The "Lean, Clean, and Green" award recognizes NASA for outstanding organizational achievement in energy efficiency by reducing energy consumption, increasing the use of renewable energy, reducing GHG pollution, and decreasing petroleum fuel consumption. The following NASA projects were nominated for GreenGov Awards:

- **Kennedy Space Center:**
 - Propellants North Project–Replaced existing, uninhabitable structures dating to the 1960s
 - Data Center Consolidation Project–United technology assets across the Center's campus
 - Building a Sustainable Future Project–Implemented systematic and deliberate change to weave sustainability throughout the Center's entire operations

- **Langley Research Center:**

- Greening NASA Langley through Energy Conservation Project–Included construction of a new energy-efficient administrative building and implementation of several energy and water conservation and renewable energy projects
- Sustainable Revitalization Project–Incorporated sustainable revitalization into Langley's Master Planning and Environmental Management System

- **Johnson Space Center:**

- Bio-based Coolant Pilot Project–Converted a building and its machinery to bio-based alternative fuels and coolants, thus dramatically reducing costs
- Electronic Waste Collection Project–Held events in conjunction with its Contractor Environmental Partnership and federal and local community volunteers. Four events have been held since 2008, resulting in the diversion of more than 561,500 pounds of e-waste from local landfills.

- **Ames Research Center:**

- Sustainability Base Project–Built a 50,000-square-foot mixed-use facility intended as a sustainability technology demonstration, test-bed, and dissemination tool

More information regarding the GreenGov awards is on the GreenGov [website](#).

1.2.6 Underground Storage Tank Rule

EPA has posted a [prepublication version](#) of a proposed rule to revise the 1988 federal UST regulations. The proposed rule would revise the UST technical requirements in [40 CFR Part 280](#) by:

- Adding secondary containment requirements for new and replaced tanks and piping.
- Adding operator training requirements for UST system owners and operators.
- Adding periodic operation and maintenance requirements for UST systems.
- Removing certain deferrals.
- Adding new release prevention and detection technologies.
- Updating codes of practice.
- Making editorial and technical corrections.

EPA also is proposing changes to the approval requirements to the state UST Program in [40 CFR Part 281](#).

This is the first time significant revisions have been proposed to the federal UST regulations since they were first promulgated in 1988. More information regarding the proposed revisions is posted on the EPA [website](#).

1.2.7 Utility Energy Service Contracts Workshop

The [Federal Energy Management Program](#) will be hosting multiple webinars designed to provide an overview of contracting options and services available including serving utility companies to engineering, financing, and installation of cost-effective energy and water saving projects.

1.2.8 2010 TRI Dataset Available

On 27 October 2011, the complete 2010 Toxic Release Inventory (TRI) dataset was made available on the EPA [website](#) through downloadable data files and EnviroFacts. Soon, the data

will be incorporated into other online TRI tools such as TRI.NET, TRI-CHIP, TRI Comparative Analysis Tool, the TRI Explorer tool, and myRTK.

In July 2011, EPA provided the initial TRI dataset to allow the public an opportunity to review and analyze the information before the publication of the TRI National Analysis, planned for December 2011. This is the first year that the dataset and the full suite of analytical tools were made available before the release of the TRI National Analysis.

More information about the complete 2010 TRI dataset can be found on the EPA [website](#).

1.3 NASA Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2011 will be held on the following Wednesdays at 12 p.m. CT:

- 16 November

Regulatory Communication Working Group calls in 2012 will be held on the following Wednesdays at 10 a.m. CT:

- | | |
|---------------|----------------|
| • 18 January | • 18 July |
| • 15 February | • 15 August |
| • 21 March | • 19 September |
| • 18 April | • 17 October |
| • 16 May | • 21 November |
| • 20 June | |

2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL110411-1	Administration Fees	10/31/2011	AAM Vol. XXX, No. 1	Final Rule	Alabama Department of Environmental Management Fees [AAC 335-1-6-.04, 335-1-6-.05, 335-1-6-.07] Finalizes amendments to AAC 335-1-6-.04, -.05, and -.06 that pertain to the following items: <ul style="list-style-type: none"> Permit application fees Water Quality Certification and Coastal Area Management Certification fees Payment of fees schedule Effective 10/25/2011.	
AL110411-2	Administration Forms	10/31/2011	AAM Vol. XXX, No. 1	Final Rule	Alabama Department of Environmental Management Forms, Instructions, and Procedures [AAC 335-1-1-.07] Finalizes amendments to AAC-1-1-.07 that add, modify, and delete forms. Effective 10/25/2011.	
AL110411-3	Waste Composting	10/23/2011	Public Notice 422	Notice Hearing	Alabama Department of Environmental Management Solid Waste Program [AAC 335-13] Announces a public hearing to discuss the proposed Chapter 335-13-14, which would establish the following proposed requirements for facilities engaged in the composting of solid waste and distribution of the compost: <ul style="list-style-type: none"> Obtain permits. Implement control measures necessary to prevent migration of solid waste into the environment. Proposed rule text and the summary of reasons are available for review. Hearing is scheduled for 12/07/2011 in Montgomery, Alabama.	

2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA110411-1	Air Engine Emissions	10/28/2011	CRNR 2011, 43z, p. 1727	Notice Hearing	<p>California Air Resources Board</p> <p>Amendments to Small Off-Road Engines, Compression Ignition Engines, and Exhaust Emission Test Procedures [13 CCR 2403, 2407, 2412, 2421, 2423-7, 2433, 2447, and 2783-4]</p> <p>Announces a public hearing to discuss proposed adoption of amendments to the following:</p> <ul style="list-style-type: none"> Small off-road engines Tier 4 off-road compression-ignition engine regulations and test procedures Exhaust certification test fuel requirements for off-road, spark-ignition engine categories <p>Amendments will align California's regulations with Federal regulations. Public hearing is scheduled for 12/15/2011 in Sacramento, California.</p>	
CA119411-2	Air Engine Emissions	10/31/2011	76 FR 67184	Notice	<p>U.S. Environmental Protection Agency</p> <p>California State Nonroad Engine Pollution Control Standards; Large Spark-Ignition (LSI) Engines; Fleet Requirements for In-Use LSI Forklifts and Other Industrial Equipment; Opportunity for Public Hearing and Comment [13 CCR 2775-5.2]</p> <p>Announces consideration of ARB's amendments to its Large Spark-Ignition Emission Standards and Large Spark-Ignition In-Use Fleet Requirements that were designed to reduce emissions of hydrocarbons and oxides of nitrogen from forklifts and other industrial equipment powered by large spark-ignition engines. Public hearing is scheduled for 11/15/2011 in Washington, D.C.</p> <p>Section 209(e) of the Clean Air Act preempts any state from adopting or attempting to enforce any standard relating to the control of emissions for new non-road engines or vehicles without EPA authorization.</p>	
CA119411-3	Air Fuels	10/28/2011	CRNR 2011, 43z, p. 1741	Notice Hearing	<p>California Air Resources Board</p> <p>Amendments to the Low Carbon Fuel Standard Regulation [17 CCR 95480-2, 95484-6, and 95488]</p> <p>Announces a public hearing to discuss proposed amendments to clarify, streamline, and improve certain provisions of the Low Carbon Fuel Standard Regulation. Affected aspects include reporting requirements, credit trading, regulated parties, and opt-in and opt-out provisions. Public hearing is scheduled for 12/15/2011 in Sacramento, California.</p> <p>The LCFS is a GHG control measure adopted pursuant to AB 32 (California Warming Solutions Act of 2006) that applies to fuel producers. It is intended to reduce, on a full-fuel lifecycle basis, the carbon intensity of transportation fuels used in California. Further information is available on the LCFS website.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA110411-4	Air PERP	10/13/2011	ARB Website	Notice	<p>California Air Resources Board</p> <p>Portable Equipment Registry Program</p> <p>Announces dates and locations for introductory and advanced training for ARB's PERP courses 302 and 303.</p> <p>Owners or operators of portable engines and certain other types of equipment can register their units under the ARB Statewide PERP in order to operate their equipment throughout California without having to obtain individual permits from local air districts.</p>	
CA110411-5	Climate Change	11/03/2011	Office of the Governor Website	Notice Meeting	<p>Office of the Governor</p> <p>Conference on Climate Risks and California's Future</p> <p>Announces a conference focusing on the risks of unpredictable and extreme weather events caused by climate change and how California communities can prepare and adapt. Conference is scheduled for 12/15/2011 in San Francisco, California.</p>	
CA110411-6	Occupational Safety	10/28/2011	CRNR 2011, 43z, p. 1722	Proposed Rule	<p>Occupational Safety and Health Standards Board</p> <p>Construction Safety Orders—General: Helicopter Fueling and General Industry Safety Orders—Single-Rail Ladders [8 CCR 1905, 3276, and 3278]</p> <p>Proposes the following amendments:</p> <ul style="list-style-type: none"> Revise Sections 3276 and 3278 of the General Industry Safety Orders to prohibit the use of single-rail ladders Revise Section 1905 of the Construction Safety Orders by removing a provision requiring helicopter grounding during fueling <p>Public hearing is scheduled for 12/15/2011 in Sacramento, California.</p>	
CA110411-7	Occupational Safety Electrical Safety	10/27/2011	OSHSB Website	Final Rule	<p>Occupational Safety and Health Standards Board</p> <p>California Electrical Safety Orders [8 CCR 2320.10 and 2940.10]</p> <p>Adopts first-aid safety standards for electrical workers who are exposed to the hazards of burns and electrical shock injuries. These standards align with federal standards except for minor editorial and formatting differences. Effective 10/27/2011.</p>	
CA110411-8	Toxic Substances Carcinogens	11/04/2011	CRNR 2011, 44z, p. 1805	Final Rule	<p>Office of Environmental Health Hazard Assessment</p> <p>Chemical Listed Effective November 4, 2011 as Known to the State of California to Cause Cancer [27 CCR 25305]</p> <p>Adds the following chemicals to the list of chemicals known to the State of California to cause cancer:</p> <ul style="list-style-type: none"> Estrogen-progestogen (combined) used as menopausal therapy Etoposide Etoposide in combination with cisplatin and bleomycin Methyl isobutyl ketone Vincristine-prednisone-nitrogen mustard-procarbazine mixture <p>Effective 11/04/2011.</p> <p>Methyl isobutyl ketone is used as a solvent for gums, resins, paints, varnishes, lacquers, and nitrocellulose, as an alcohol denaturant, in the extraction of rare metals, and as a synthetic flavoring adjuvant.</p>	NASA Centers using methyl isobutyl ketone should be aware of this action.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA110411-9	Toxic Substances Proposition 65	11/04/2011	CRNR 2011, 44z, p. 1786	Notice	Office of Environmental Health Hazard Assessment Chemicals Known to the State to Cause Cancer or Reproductive Toxicity Announces availability of the updated list of substances known to the state to cause cancer or reproductive toxicity .	
CA110411-10	Toxic Substances Risk Assessment	10/28/2011	CRNR 2011, 43z, p. 1771	Final Rule	Office of Environmental Health Hazard Assessment Quantitative Risk Assessment [27 CCR 25703(a)(6)] Modifies the calculation used to convert estimates of animal cancer potency to estimates of human cancer potency, which is used to calculate no significant risk levels for carcinogens listed under Proposition 65. Effective 11/11/2011.	NASA Centers conducting risk assessments should be aware of this action.
CA110411-11	Toxic Substances Risk Assessment	11/04/2011	CRNR 2011, 44z, p. 1786	Notice	Office of Environmental Health Hazard Assessment Revisions to the Air Toxics Hot Spots Program Risk Assessment Guidelines: Technical Support Document for Exposure Assessment and Stochastic Analysis Announces availability of a document titled, Proposed Revisions to the Technical Support Document for Exposure Assessment and Stochastic Analysis for public comment. Comments due 01/06/2012.	
CA110411-12	Toxic Substances TDCPP	10/28/2011	CRNR 2011, 43z, p. 1751	Final Rule	Office of Environmental Health Hazard Assessment Chemical Listed Effective as Known to the State of California to Cause Cancer [27 CCR 25305] Adds TDCPP to the list of chemicals known to the State of California to cause cancer. Effective 10/28/2011. TDCPP is a high-production volume chemical used primarily as an additive flame retardant in flexible polyurethane foams. It is also used as a flame retardant and plasticizer in rigid polyurethane foams, resins, plastics, textile coatings, and rubber.	
CA110411-13	Toxic Substances TDCPP	11/02/2011	OEHHA Website	Notice	Office of Environmental Health Hazard Assessment Meeting Synopsis from the Carcinogen Identification Committee Meeting Provides a synopsis of the 10/12/2011 Carcinogen Identification Committee meeting Summary of the Listing Decision for Tris(1,3-Dichloro-2-Propyl) Phosphate (TDCPP) and Fluoride and its Salts .	
CA110411-14	Waste Fees	10/28/2011	CRNR 2011, 43z, p. 1771	Final Rule	State Water Resources Control Board Emergency Regulations to Conform with Budget Act 2011-12 [23 CCR 2200] Adjusts the annual fee schedules assessed on persons issued waste discharge permits to conform to revenue levels set forth in the Budget Act for Fiscal Year 2011-2012. Effective 10/19/2011.	
CA110411-15	Waste Recycling	10/28/2011	CRNR 2011, 43z, p. 1734	Proposed Rule	Department of Resources Recycling and Recovery Mandatory Commercial Recycling [14 CCR 18835-9] Proposes to require businesses that generate 4 cubic yards or more of trash per week to recycle solid waste. Public hearing is scheduled for 12/13/2011 in Sacramento, California. Comments due 12/12/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA110411-16	Water Fees	11/04/2011	CRNR 2011, 44z, p. 1810	Final Rule	State Water Resources Control Board Emergency Fee Regulations to Conform with Budget Act 2011-12 [23 CCR 1062, 1064, and 1066] Modifies the water right fee schedule to be consistent with the revenue levels set forth in the Budget Act for Fiscal Year 2011-2012. Modifications include the following: <ul style="list-style-type: none"> ▪ Adjusting the caps on application and petition filing fees. ▪ Increasing the minimum flat-rate charge assessed on water right permits. ▪ Increasing the per acre-foot charge for annual fees assessed on water right permits, licenses, water leases, and pending applications diverting more than 10 acre-feet annually. Effective 10/20/2011.	

2.2.1 California Cap-and-Trade Program

On 27 October 2011, the California ARB filed the finalized cap-and-trade regulation with the California Office of Administrative Law, which has until 13 December 2011 to make a final approval.

Under the cap-and-trade regulation, facilities that emit more than 25,000 metric tons of carbon dioxide equivalent per year would have compliance obligations beginning with the first compliance period, which include:

- Registering with the accounts administrator by 31 January 2012
- Annual and triennial compliance obligations
- Allowances and offsets must be provided each year to compensate for 30 percent of the previous year's emissions
- In the last year of each compliance period, allowances and offsets must compensate for the remainder of the emissions generated during all years of the compliance period

Additional information is available on the [ARB website](#).

2.2.2 California Air Districts Regulatory Review

2.2.2.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

2.2.2.2 Bay Area Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Bay Area Air Quality Management District](#).

2.2.2.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

2.2.2.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

2.2.2.5 South Coast Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [South Coast Air Quality Management District](#).

2.2.2.6 Ventura County Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Ventura County Air Pollution Control District](#).

2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in the Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL110411-1	Risk Assessment Remediation	10/28/2011	FAW Notice #10562832	Notice Rulemaking	Department of Environmental Protection Contaminated Site Cleanup Criteria [62-780 F.A.C.] Announces a rulemaking to initiate discussion of proposed amendments to the rules governing the RBCA process at contaminated sites and the derivation of CTLs. Subject areas to be addressed include the following: <ul style="list-style-type: none"> ▪ RBCA guidance documents ▪ Site assessment process ▪ Fate and transport modeling and statistical methods ▪ Risk assessment process ▪ Criteria for NFA status 	
FL110411-2	Risk Assessment Remediation-CTLs	10/28/2011	FAW Notice #10563123	Notice Rulemaking	Department of Environmental Protection Contaminant CTLs [62-777 F.A.C.] Announces a rulemaking to initiate discussion of proposed amendments to the rules governing the RBCA process at contaminated sites and the derivation of CTLs. Subject areas to be addressed include the following: <ul style="list-style-type: none"> ▪ RBCA guidance documents ▪ ACTLs ▪ Site-specific soil properties considered in establishing ACTLs 	
FL110411-3	Water Sewage	11/04/2011	FAW Notice #10594939	Notice Meeting	Department of Health Bureau of Onsite Sewage Programs Announces a meeting to discuss onsite sewage research projects, including the Nitrogen Reduction Strategies Study. Web conference details to be posted on the Bureau website . Meeting is scheduled for 11/15/2011 in Tallahassee, Florida.	

2.4 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Louisiana.

2.4.1 LDEQ Issues New Pesticide General Permit

The LDEQ has issued a new Pesticides General Permit, effective 31 October 2011. The permit was issued to coincide with [U.S. EPA's Pesticide General Permit](#), which also was finalized on 31 October 2011.

The LDEQ Pesticides General Permit incorporates existing pesticide control measures, which currently are managed by the Louisiana Department of Agriculture and Forestry. The permit

provides for reporting, inspection, and compliance monitoring activities under LDEQ's supervision. The LDEQ Pesticides General Permit does not apply to facilities already covered by a current LPDES Permit.

There will be no requirement for a Pesticides General Permit Notice of Intent (application) to be submitted to LDEQ, because the requirements are covered through the Louisiana Department of Agriculture and Forestry's certification and licensing process. LDEQ's Pesticides General Permit incorporates the Louisiana Department of Agriculture and Forestry's regulations by reference.

Additional information is available on [LDEQ's Water Permits Division](#) website.

2.5 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Maryland. Beginning 07 October 2011, the *Maryland Register* is no longer posting current versions of the register on its website on the date of publication, but will now delay posting for at least 1 week or longer. Information listed in the following table from the *Maryland Register* might not immediately be available online for review. The *Maryland Register* will continue to maintain web postings of the eight most recent .pdf versions of the register on its website for a limited time.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD110411-1	Administration Permits	11/04/2011	38:23 Md.R. 1473	Notice	Department of the Environment Proposed Calendar Year 2012 Standard Permit Application Turnaround Times Seeks comments on the proposed standard turnaround times for all types of permit applications. Proposed changes and the full list of proposed turnaround times are available for review. Comments due 12/04/2011.	

2.6 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

2.7 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM110411-1	Air SIP	10/31/2011	NM Register Vol. 22, No. 20	Final Rule	Environmental Improvement Board New Mexico Air Quality Standards [20.2.99 NMAC] Amends 20.2.99 NMAC, Sections 7, 117, 128, 135, 137, 138, and 140, to achieve conformity to the SIP for Transportation Plans, Programs, and Projects. Effective 11/07/2011.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM110411-2	Water Drinking Water	10/31/2011	NM Register Vol. 22, No. 20	Notice Hearing	<p>Environmental Improvement Board</p> <p>New Mexico Drinking Water Regulations [EIB 11-18(R)]</p> <p>Announces a public hearing to consider revisions to the New Mexico Drinking Water Regulations. Proposed revisions include the following:</p> <ul style="list-style-type: none"> Update New Mexico's incorporation by reference of the National Primary Drinking Water Regulations, 40 CFR Part 141, so that future changes to regulations will be incorporated automatically into New Mexico law. Reflect existing implementation in New Mexico where federal regulations allow state discretion or require state interpretation. <p>Hearing is scheduled for 01/03/2012 in Santa Fe, New Mexico. Comments due 12/14/2011.</p>	

2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH110411-1	Air Release Reporting	10/25/2011	DAPC Website-What's New	Final Rule	<p>Division of Air Quality, Ohio Environmental Protection Agency</p> <p>Toxic Chemical Release Reporting [OAC 3745-100]</p> <p>Adopts updated Toxic Chemical Release Reporting rules. Changes accomplish the following:</p> <ul style="list-style-type: none"> Make the rules consistent with federal requirements. Correct minor typographical errors. Fulfill formatting requirements of the Legislative Services Commission. Add and update citation information of materials referenced in these rules. <p>Further details regarding the final rules, including the rule language and public notice, are available on the OEPA website. Effective 11/04/2011.</p>	

2.9 Texas State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Texas.

2.10 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT110411-1	Waste Hazardous Waste	11/01/2011	UT Bull. Vol. 2011-21: No. 35349	Proposed Rule	Utah Department of Environmental Quality: Division of Solid and Hazardous Waste Utah Hazardous Waste Definitions and References [UAC R315-1] Proposes to adopt equivalent federal regulations to maintain equivalency with EPA and retain authorization. Proposed changes also include technical changes to correct existing errors in the hazardous waste regulation. Comments due 12/01/2011.	
UT110411-2	Waste Hazardous Waste	11/01/2011	UT Bull. Vol. 2011-21: No. 35350	Proposed Rule	Utah Department of Environmental Quality: Division of Solid and Hazardous Waste General Requirements: Identification and Listing of Hazardous Waste [UAC R315-2] Proposes to: <ul style="list-style-type: none"> Adopt equivalent federal regulations to maintain equivalency with EPA and retain authorization. Make technical changes to correct existing errors in the hazardous waste regulation. Withdraw conditional exclusion from regulations for "Emission Comparable Fuel." Comments due 12/01/2011.	
UT110411-3	Waste Hazardous Waste	11/01/2011	UT Bull. Vol. 2011-21: No. 35352	Proposed Rule	Utah Department of Environmental Quality: Division of Solid and Hazardous Waste Hazardous Waste Generator Requirements [UAC R315-5] Proposes to: <ul style="list-style-type: none"> Adopt equivalent federal regulations to maintain equivalency with EPA and retain authorization. Make technical changes to correct existing errors in the hazardous waste regulation. Make technical corrections to regulations that established an alternative set of generator requirements applicable to certain laboratories. Comments due 12/01/2011.	

2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Virginia.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA110411-1	Administration Awards	10/14/2011	VDEQ Website	Notice	Virginia Department of Environmental Quality 2012 Governor's Environmental Excellence Awards Announces acceptance of applications for the 2012 Governor's Environmental Excellence Awards, in four categories: <ul style="list-style-type: none"> Environmental Project Environmental Program Land Conservation Project Land Conservation Program Applications due 11/30/2011.	
VA110411-2	Air Air Quality	10/24/2011	VDEQ Website	Notice	Virginia Department of Environmental Quality Virginia Ambient Air Monitoring 2010 Data Report Announces availability of the Virginia Ambient Air Monitoring 2010 Data Report .	

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA110411-3	Air Permitting	10/25/2011	VDEQ Website	Notice	<p>Virginia Department of Environmental Quality Air Quality Program</p> <p>New Source Review and State Operating Permits Application Form, Application Instructions Document, Form 7</p> <p>Seeks comments on the revised Form 7 and instructions document. Comments due 02/25/2012.</p>	
VA110411-4	Air SIP	10/24/2011	28:4 VA.R. 285-286	Proposed Rule	<p>Virginia Department of Environmental Quality Air Pollution Control Board</p> <p>Permits for Stationary Sources of Pollutants Subject to Regulation [9VAC5-85]</p> <p>Proposes a SIP amendment that would defer, for a 3-year period, the application of PSD and Title V permitting requirements for CO₂ emissions from bioenergy, until EPA has conducted an evaluation of bioenergy. Comments due 11/23/2011.</p>	
VA110411-5	Species Alewife and Blueback Herring	11/02/2011	76 FR 67652	Notice	<p>U.S. Department of Commerce, National Oceanographic and Atmospheric Administration, National Marine Fisheries Service</p> <p>Listing Threatened and Endangered Wildlife and Plants; 90-Day Finding on a Petition to List Alewife and Blueback Herring as Threatened under the Endangered Species Act [50 CFR Part 223 and 224]</p> <p>Announces a petition for a finding to list the Alewife and Blueback Herring as threatened. Comments due 01/03/2012. [RIN 0648-XA739]</p>	
VA110411-6	Storage Tanks ASTs	10/24/2011	28:4 VA.R. 190-191	Notice	<p>Virginia Department of Environmental Quality</p> <p>AST Regulation [9VAC25-91]</p> <p>Updates the following forms:</p> <ul style="list-style-type: none"> Registration for Facility and AST (revised 10/08) Approval Application for Facility Oil Discharge Contingency Plan (revised 08/07) 	
VA110411-7	Water VPDES	10/24/2011	28:4 VA.R. 191-204	Proposed Rule	<p>Virginia Department of Environmental Quality State Water Control Board</p> <p>General VPDES Permit for Car Wash Facilities [9VAC25-194] and VPDES Permit for Coin-Operated Laundry [9VAC25-810]</p> <p>Proposes to replace and update the vehicle wash VPDES general permit, and incorporates the coin-operated laundry VPDES general permit into the updated vehicle wash general permit. Repeals the current coin-operated laundry VPDES general permit. Comments due 12/27/2011. Public hearing is scheduled for 12/01/2011 in Richmond, Virginia.</p>	
VA110411-8	Water VPDES—Chesapeake Bay	10/24/2011	28:4 VA.R. 216-232	Final Rule	<p>Virginia Department of Environmental Quality State Water Control Board</p> <p>General VPDES Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia [9VAC25-820]</p> <p>Amends and re-issues the existing general permit for total nitrogen and total phosphorus discharges and nutrient trading in the Chesapeake Bay watershed in Virginia. Effective 01/01/2012.</p>	